

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>MARK A. RYDER,</b>	)	<b>CASE NO. 1:06 CV 2105</b>
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>JUDGE DONALD C. NUGENT</b>
	)	
<b>PHILIP KERNS, Warden,</b>	)	<b>Magistrate Judge David S. Perelman</b>
	)	
<b>Respondent.</b>	)	<b><u>ORDER</u></b>

As stated in the attached Memorandum Opinion, the Court hereby ADOPTS the Report and Recommendation of Magistrate Judge Perelman (Document #12) in its entirety; Petitioner's Petition for Habeas Corpus is DISMISSED.

Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); FED. R. APP. P. 22(b).

IT IS SO ORDERED.

s/ Donald C. Nugent  
DONALD C. NUGENT  
United States District Judge

DATED: July 30, 2007

